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## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Jose Manuel LISAMA Sierra

Also Known As:

Rogelio Antonio GARZA-Bernal

Jose LIZAMA- Galea

Case:2:15-mj-30201

Judge: Unassigned.

Filed: 04-23-2015 At 10:04 AM

USA V JOSE MANUEL LISAMA SIERRA (CM  
P)(CMC)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 09, 2015, in the county of Washtenaw in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section*

Title 8, United States Code 1326(a)


*Offense Description*

Re-entry of a Removed Alien

This criminal complaint is based on these facts:

On or about April 09, 2015, at or near Ann Arbor, Michigan, in the Eastern District of Michigan, Southern Division, Jose Manuel LISAMA Sierra, also known as Rogelio Antonio GARZA-Bernal, also known as Jose LIZAMA-Galea, an Alien from Honduras, was found in the United States after having been denied admission, excluded, deported, and removed there from on or about May 21, 2014, at or near Brownsville, Texas, and not having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8 United States Code, Section 1326(a).

☒ Continued on the attached sheet.


  
 Complainant's signature

Kyle B. Sebald, Immigration Enforcement Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: April 23, 2015

  
 Judge's signature

City and state: Detroit, Michigan

R. Steven Whalen, United States Magistrate Judge

Printed name and title

**Affidavit**

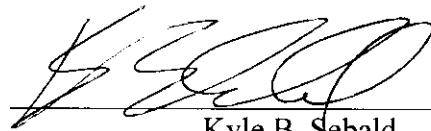
I, Kyle B. Sebald being duly sworn, do hereby state:

1. I am an Immigration Enforcement Agent with the United States Department of Homeland Security, Bureau of Immigration and Customs Enforcement (ICE). I have been employed in this capacity since November of 2008. Prior to employment as an Immigration Enforcement Agent, affiant was a Deputy Sheriff with the Eaton County Sheriff's Department, for approximately one and a half years. I am currently assigned to the Enforcement and Removal Operations Section, in such capacity, I have reviewed the official Immigration file (077 662 738) and system automated data relating to the defendant, and which attests to the following:
2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all of the information collected during my investigation.
3. Jose Manuel LISAMA Sierra, also known as Rogelio Antonio GARZA-Bernal, also known as Jose LIZAMA-Galea, herein LISAMA Sierra, is a thirty-three year old male, native and citizen of Honduras, who last entered the United States at or near an unknown place, on or about an unknown date without being admitted, inspected or paroled by an Immigration Officer.
4. On February 06, 2000, LISAMA Sierra was apprehended by the United States Border Patrol near Houston, Texas, and was issued a Notice to Appear (I-862).
5. On March 01, 2000, LISAMA Sierra was ordered removed from the United States to Honduras by an Immigration Judge in San Antonio, Texas.
6. On March 28, 2000, LISAMA Sierra was removed from the United States to Honduras via the Houston, Texas Port of Entry (POE).
7. On July 22, 2001, LISAMA Sierra was apprehended by the United States Border Patrol near Hebronville, Texas. LISAMA Sierra used the alias Rogelio Antonio GARZA-Bernal and listed his country of citizenship as Mexico; he was given a Voluntary Return (VR) to Mexico on the same date.
8. On July 25, 2001, LISAMA Sierra was apprehended by the United States Border Patrol near Hebronville, Texas. LISAMA Sierra used the alias Rogelio GARZA-Bernal and listed his country of citizenship as Mexico; he was given a Voluntary Return (VR) to Mexico on the same date.
9. On May 11, 2002, LISAMA Sierra was apprehended by the United States Border Patrol near Ypsilanti, Michigan. LISAMA Sierra used the alias Jose LIZAMA-Galea and listed his country of citizenship as Mexico; he was given a Voluntary Return (VR) to Mexico on the same date.

10. On June 04, 2011, LISAMA Sierra was arrested by the Van Buren Township Department of Public Safety in Belleville, Michigan, and was charged with Assault, and Domestic Violence.
11. On August 10, 2011, LISAMA Sierra was convicted in the Third Judicial Circuit Court at Detroit, Michigan, for the offense of Assault with a Dangerous Weapon, and was sentenced to four months incarceration, and one year probation.
12. On August 31, 2011, LISAMA Sierra was apprehended by Immigration and Customs Enforcement in Detroit, Michigan, and was served with a Notice of Intent to Reinstate a Prior Order (I-871). LISAMA Sierra was also charged with Unlawful Reentry after Deportation.
13. On February 02, 2012, LISAMA Sierra was convicted in United States District Court for the Eastern District of Michigan for the offense of Unlawful Reentry after Deportation, and was sentenced to time served.
14. On February 10, 2012, LISAMA Sierra was removed from the United States to Honduras via the New Orleans, Louisiana Port of Entry (POE).
15. On May 15, 2014, LISAMA Sierra was apprehended by the United States Border Patrol near Falfurrias, Texas, and was served with a Notice of Intent to Reinstate a Prior Order (I-871).
16. On May 21, 2014, LISAMA Sierra was removed from the United States to Honduras via the Brownsville, Texas Port of Entry (POE).
17. On April 09, 2015, LISAMA Sierra was arrested by the Washtenaw County Sheriff's Department in Ann Arbor, Michigan, for the offense of Driving under the Influence. LISAMA Sierra was released to Immigration Authorities without being charged.
18. On or about April 09, 2015, at or near Ann Arbor, Michigan, in the Eastern District of Michigan, Southern Division, Jose Manuel LISAMA Sierra, also known as Rogelio Antonio GARZA-Bernal, also known as Jose LIZAMA-Galea , an Alien from Honduras, was found in the United States after having been denied admission, excluded, deported, and removed there from on or about May 21, 2014, at or near Brownsville, Texas, and not having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8 United States Code, Section 1326(a).
19. On April 10, 2015, LISAMA Sierra was apprehended by Immigration and Customs Enforcement in Ann Arbor, Michigan, and was served with a Notice of Intent to Reinstate a Prior Order (Form I-871).
20. The aforementioned arrest, and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, and/or 1231 of Title

8, United States Code to arrest and detain any alien entering or attempting to enter the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.

21. Based upon the above information, there is probable cause to believe that Jose Manuel LISAMA Sierra, also known as Rogelio Antonio GARZA-Bernal, also known as Jose LIZAMA-Galea, has illegally reentered the United States after exclusion, deportation, or removal , in violation of Title 8 United States Code, Section 1326 (a).



Kyle B. Sebald

Immigration Enforcement Agent  
Immigration and Customs Enforcement  
Department of Homeland Security

Subscribed and sworn to before me this twenty-third day of April, 2015.



R. Steven Whalen  
United States Executive Magistrate Judge  
United States District Court  
Eastern District of Michigan